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Atty. Dkt. No. 029856-0102

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: José Rafael GARZA ALVAREZ  
Title: INTRAGASTRIC BALLOON ASSEMBLY  
Appl. No.: 10/656,219  
Filing Date: 09/08/2003  
Examiner: Unassigned  
Art Unit: 3736

**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ [ X ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

☐ [ ] Assertion of Small Entity status is enclosed.

☒ [ X ] The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	50	-	40	=	10	x	\$18.00	=	\$180.00
Independent Claims:	4	-	3	=	1	x	\$86.00	=	\$86.00
First presentation of any Multiple Dependent Claims:						+	\$290.00	=	\$0.00
CLAIMS FEE TOTAL									= \$266.00

☐ [ ] Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$420.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$950.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,480.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,010.00	\$0.00
EXTENSION FEE TOTAL:			\$0.00
<input type="checkbox"/>	Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:			\$266.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$133.00
TOTAL FEE:			\$133.00

☐ Please charge Deposit Account No. 19-0741 in the amount of \$133.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$133.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

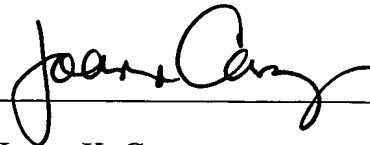
Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

9/7/04

By



FOLEY & LARDNER LLP  
 Customer Number: 22428  
 Telephone: (202) 672-5300  
 Facsimile: (202) 672-5399

Joann K. Corey  
 Attorney for Applicant  
 Registration No. 52,769



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Art Unit: 3736

**PRELIMINARY AMENDMENT UNDER 37 C.F.R. § 1.115**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Prior to examination of the present Continuing Application, Applicant respectfully requests that the application be amended as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 13 of this document.

Please amend the application as follows:

09/08/2004 HLE333 00000030 10656219

01 FC:2201	43.00 OP
02 FC:2202	90.00 OP